

R E M A R K S

The language inserted into the claims 22 and 23 by this Amendment Pursuant to RCE provides further support for the argument of the Response Upon Final Rejection filed 6/26/03 in distinguishing the present invention from the teachings of the cited art, the Response Upon Final Rejection being requested to be entered and considered.

In the interviews with the Examiner Hanh N. Nguyen on June 27, 2003 and Karl Tamai, SPE, on July 1, 2003, it was stated by the Examiner that the argument presented in the Response Upon Final Rejection shows patentability of the rejected independent claims 22 and 23 if the subject matter described in the argument were to have appeared in the claims 22 and 23. Accordingly, a paper entitled Proposed Amendments for Discussion was faxed to the Examiner with proposed amended claims 22 and 23 providing further structure in support of the argument. The Examiner stated after his review of this paper that these proposed amended claims 22 and 23 overcome the rejection of record.


These claims 22 and 23 are the same as the presently amended claims 22 and 23 herein.

The SPE stated that the additional material added to claims 22 and 23 would be considered by the Examiner only upon filing of an RCE, but not after final rejection alone because of the new issues presented by the additional material which is required to be searched.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.


Respectfully submitted,
Klaus Kronenberg, et al

by: 
MARTIN A. FARBER
Attorney for Applicants
Registered Representative
Registration No.: 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response Pursuant to... (RCE) and Interview Summary is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on July 2, 2003.

Dated: July 2, 2003


Martin A. Farber

866 United Nations Plaza
New York, NY 10017
(212) 758-2878